

Austin, Texas, March 24, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 276, "An Act making it unlawful to kill quail in Garza County Texas; providing the Act shall be in force for a period of two (2) years; repealing all laws in conflict; providing a penalty for the violation of this Act, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, March 24, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 366, "An Act granting to the dependents at law, the heirs, and legal representatives of Milton Matkins, deceased, permission to bring suit against the State of Texas and/or the State Highway Department and/or Angelina County, Texas, in the District Court of Shelby County, Texas, for damages sustained by reason of the death of Milton Matkins, for damages for the conscious suffering which he sustained after the injury but before his death, and for damages by way of medical services and funeral bills incurred, all on account of the negligence of the employees of the State Highway Department, and/or Angelina County, Texas; providing for place of venue; providing that such suit may be filed within two (2) years after this Act takes effect; providing for the method of serving process and for procedure governing the trial and determination of such suit; recognizing the liability of the State of Texas, and making appropriation for the payment of such judgment, if, as, and when finally obtained; providing for the method of compromising and settling such claims; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

FORTY-SECOND DAY

(Thursday, March 25, 1937)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Calvert.

The roll of the House was called, and the following Members were present:

Mr. Speaker

Adkins

Alexander

Alsup

Amos

Baker

Bates

Beckworth

Bell

Blankenship

Boethel

Bond

Boyer

Bradbury

Bradford

Bridgers

Broadfoot

Brown

Burton

Cagle

Callan

Carssow

Cathey

Cauthorn

Celaya

Cleveland

Colquitt

Davis of Haskell

Davis of Jasper

Davison of Fisher

Davisson

of Eastland

Dean

Deglandon

Derden

Dickison

Dollins

England

Farmer

Felty

Fielden

Fox

Fuchs

Gibson

Hamilton

Hankamer

Hanna

Harbin

Hardin

Harper

Harrell

Harris of Archer

Harris of Dallas

Harris of Dickens

Hartzog

Heflin

Herzik

Holland

Hoskins

Howard

Huddleston

Hull

Hyder

Jackson

James

Johnson of Ellis

Johnson

of Tarrant

Jones of Angelina

Jones of Atascosa

Jones of Falls

Jones of Wise

Keefe

Keith

Kelt

Kenyon

Kern

King

Knetsch

Langdon

Lanning

Leonard

Leyendecker

Little

Loggins

London

Lucas

Mann

Mauritz

Mays

McConnell

McCracken

McDonald

McFarland

McKee

McKinney

Metcalf

Moffett

Monkhouse

Morris

Morse

Newton

Nicholson

Oliver

Palmer

Patterson of Mills

Patterson

of Travis

Petsch

Pope

Powell

Prescott

Quinn

Ragsdale

Reader

Reed of Bowie

Reed of Dallas

Rhodes

Riddle

Roark

Ross

Russell

Rutta
Schuenemann
Settle
Sharpe
Shell
Simpson
Skaggs
Smith of Tarrant
Stevenson
Stinson
Stocks
Talbert
Tarwater

Tennant
Tennyson
Thornberry
Thornton
Vale
Waggoner
Walker
Weldon
Westbrook
Winfree
Wood
Worley

Absent—Excused

Graves
Lankford
Leath
Sewell

Smith of Hopkins
Smith
of Matagorda

A quorum was announced present.

Rev. George W. Coltrin, Chaplain,
offered prayer.

LEAVES OF ABSENCE GRANTED

The following Members were
granted leaves of absence on account
of important business:

Mr. McKee for yesterday, on motion
of Mr. Knetsch.

Mr. Harris of Archer for yesterday,
on motion of Mr. Tennyson.

Mr. Smith of Matagorda for today,
on motion of Mr. Kern.

Mr. Smith of Hopkins for today, on
motion of Mr. Kern.

Mr. Lankford for today, on motion
of Mr. Tennyson.

Mr. Leath for today, on motion of
Mr. Wood.

Mr. Graves for today, on motion of
Mr. Petsch.

The following Member was granted
leave of absence on account of illness:

Mr. Adkins for today, on motion of
Mr. Jones of Falls.

HOUSE BILL ON FIRST READING

The following House bill, introduced
today, was laid before the House, read
first time, and referred to the appro-
priate committee, as follows:

By Mr. Mays:

H. B. No. 1032, A bill to be entitled
"An Act to create Road District No.
7-A in Cass County, Texas; validating
and approving all orders made by the
Commissioners Court of said County
in respect to the organization of said
District; validating the authorization
and issuance of road bond thereof, and

providing for their payment by the
annual levy, assessment and collection
of general ad valorem taxes on all
taxable property in said Road Dis-
trict; approving and validating all
orders of the Commissioners Court of
said County in respect of said Road
District bonds and taxes, or certified
copies thereof, and constituting such
orders legal evidence, and declaring an
emergency."

Referred to the Committee on High-
ways and Motor Traffic.

Mr. Bell moved to introduce, at this
time, and have placed on first read-
ing, House Bill No. 1033.

The motion prevailed by the follow-
ing vote:

Yeas—107

Adkins	Harris of Dallas
Alexander	Hartzog
Alsup	Heflin
Amos	Herzik
Bates	Holland
Beckworth	Hoskins
Bell	Huddleston
Blankenship	Hull
Boethel	Jackson
Bond	Jones of Angelina
Boyer	Jones of Wise
Bradbury	Keith
Bradford	Kelt
Bridgers	Kenyon
Broadfoot	Kern
Brown	King
Burton	Knetsch
Cagle	Langdon
Callan	Lanning
Carssow	Leonard
Cathey	Leyendecker
Cauthorn	Loggins
Celaya	Lucas
Cleveland	Mann
Colquitt	Mauritz
Davis of Jasper	Mays
Davison of Fisher	McConnell
Davison	McCracken
of Eastland	Metcalf
Dean	Moffett
Deglandon	Monkhouse
Derden	Morris
Dollins	Morse
Farmer	Palmer
Felty	Patterson of Mills
Fielden	Pope
Gibson	Powell
Hamilton	Prescott
Hankamer	Reader
Hanna	Reed of Bowie
Harbin	Reed of Dallas
Hardin	Rhodes
Harper	Roark
Harrell	Ross

Russell	Tennant
Rutta	Tennyson
Schuenemann	Thornberry
Shell	Thornton
Simpson	Vale
Skaggs	Waggoner
Smith of Tarrant	Walker
Stinson	Weldon
Stocks	Winfree
Talbert	Wood

Absent

Baker	McDonald
Davis of Haskell	McFarland
Dickison	McKee
England	McKinney
Fox	Newton
Fuchs	Nicholson
Harris of Archer	Oliver
Harris of Dickens	Patterson
Howard	of Travis
Hyder	Petsch
James	Quinn
Johnson of Ellis	Ragsdale
Johnson	Riddle
of Tarrant	Settle
Jones of Atascosa	Sharpe
Jones of Falls	Stevenson
Keefe	Tarwater
Little	Westbrook
London	Worley

Absent—Excused

Graves	Smith of Hopkins
Lankford	Smith
Leath	of Matagorda
Sewell	

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Bell and Mr. Newton:

H. B. No. 1033, A bill to be entitled "An Act prescribing the time for the election of teachers in the public school districts of Texas, by the trustees of the respective districts, and declaring an emergency."

Referred to the Committee on Education.

Mr. Pope moved to introduce, at this time, and have placed on first reading, House Bill No. 1034.

The motion prevailed by the following vote:

Yeas—111

Adkins	Baker
Alexander	Bates
Alsup	Beckworth
Amos	Bell

Blankenship	Kenyon
Boethel	Kern
Bond	King
Boyer	Knetsch
Bradbury	Langdon
Bradford	Lanning
Bridgers	Leonard
Broadfoot	Leyendecker
Brown	Loggins
Burton	Lucas
Cagle	Mann
Callan	Mauritz
Carssow	Mays
Cathey	McConnell
Cauthorn	McCracken
Celaya	Metcalfe
Cleveland	Moffett
Colquitt	Monkhouse
Davis of Haskell	Morris
Davis of Jasper	Morse
Davison of Fisher	Petsch
Dean	Pope
Deglandon	Powell
Derden	Prescott
Dickison	Quinn
Dollins	Reader
Farmer	Reed of Bowie
Felty	Reed of Dallas
Fielden	Rhodes
Gibson	Roark
Hamilton	Russell
Hankamer	Rutta
Hanna	Schuenemann
Hardin	Sharpe
Harrell	Shell
Harris of Dallas	Simpson
Hartzog	Skaggs
Heflin	Smith of Tarrant
Herzik	Stinson
Holland	Stocks
Hoskins	Talbert
Huddleston	Tennant
Hull	Tennyson
Jackson	Thornberry
Johnson	Thornton
of Tarrant	Vale
Jones of Angelina	Waggoner
Jones of Atascosa	Walker
Jones of Falls	Weldon
Jones of Wise	Westbrook
Keith	Winfree
Kelt	Wood

Absent

Davisson	Hyder
of Eastland	James
England	Johnson of Ellis
Fox	Keefe
Fuchs	Little
Harbin	London
Harper	McDonald
Harris of Archer	McFarland
Harris of Dickens	McKee
Howard	McKinney

Newton
Nicholson
Oliver
Palmer
Patterson of Mills
Patterson
of Travis

Ragsdale
Riddle
Ross
Settle
Stevenson
Tarwater
Worley

Absent—Excused

Graves
Lankford
Leath
Sewell

Smith of Hopkins
Smith
of Matagorda

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Pope, Mr. Celaya and Mr. Vale:

H. B. No. 1034, A bill to be entitled "An Act conferring authority on State Parks Board to acquire for use as a public park a tract of land situated on Padre Island; prescribing the terms and conditions under which such purchase can be made; . . . etc., and declaring an emergency."

Referred to the Committee on Public Lands and Buildings.

BILL ORDERED NOT PRINTED

On motion of Mr. Thornton, Senate Bill No. 99 was ordered not printed.

ADOPTION OF JOINT RULES

The Speaker laid before the House, as unfinished business, for consideration, at this time, Senate Concurrent Resolution No. 1, Providing for Joint Rules of the House and Senate, with a report of the Committee on Rules, recommending the adoption of committee amendment in connection therewith, and amendment by Mr. McKee to the committee amendment, pending.

Mr. Keith moved that further consideration of the resolution be postponed until 11:00 o'clock a. m., next Tuesday.

The motion to postpone was lost.

Mr. Metcalfe offered the following substitute for the amendment by Mr. McKee:

Strike out the word "Friday" in Section 23 of amendment to Rules and substitute therefor the word "Tuesday".

METCALFE,
BELL,
MORSE.

Mr. McKee moved to table the substitute amendment by Mr. Metcalfe.

(Mr. Alexander in the Chair.)

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—37

Bates	Kenyon
Cagle	Loggins
Callan	Lucas
Cauthorn	Mann
Davis of Haskell	McConnell
Deglandon	McKee
Derden	Palmer
Dollins	Patterson
Hanna	of Travis
Harbin	Petsch
Harris of Dickens	Quinn
Herzik	Rhodes
Holland	Riddle
Hoskins	Rutta
Hyder	Sharpe
Johnson of Ellis	Skaggs
Jones of Angelina	Smith of Tarrant
Jones of Atascosa	Stinson
Keith	Waggoner

Nays—84

Adkins	Harrell
Alsup	Harris of Dallas
Amos	Heflin
Baker	Howard
Beckworth	Huddleston
Bell	Jackson
Blankenship	Johnson
Boethel	of Tarrant
Boyer	Jones of Falls
Bradbury	Jones of Wise
Bradford	Keefe
Broadfoot	Kelt
Brown	Kern
Burton	King
Carssow	Knetsch
Cathey	Langdon
Cleveland	Lanning
Colquitt	Leonard
Davison of Fisher	Leyendecker
Davison	London
of Eastland	Mauritz
Dean	McCracken
Dickison	McFarland
England	McKinney
Farmer	Metcalfe
Felty	Moffett
Fielden	Morris
Fuchs	Morse
Gibson	Newton
Hamilton	Oliver
Hankamer	Patterson of Mills
Hardin	Pope
Harper	Prescott

Reader	Tarwater
Reed of Bowie	Tennant
Reed of Dallas	Thornberry
Roark	Thornton
Ross	Walker
Russell	Weldon
Schuenemann	Westbrook
Shell	Winfree
Stocks	Wood
Talbert	Worley

Present—Not Voting

Alexander	Simpson
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Absent

Bond	Mays
Bridgers	McDonald
Celaya	Monkhouse
Davis of Jasper	Nicholson
Fox	Powell
Harris of Archer	Ragsdale
Hartzog	Settle
Hull	Stevenson
James	Tennyson
Little	Vale

Absent—Excused

Graves	Smith of Hopkins
Lankford	Smith
Leath	of Matagorda
Sewell	

Question recurring on the substitute amendment by Mr. Metcalfe, it was adopted.

Question then recurring on the amendment, as substituted, it was adopted.

Mr. Morse offered the following amendment to the committee amendment:

Amend committee amendment for Senate Concurrent Resolution No. 1, by striking out the following words at the end of Section 18: "and transmit a copy of the same", and substituting in lieu thereof the following: "and transmit a copy of the caption of such defeated bill or resolution."

The amendment by Mr. Morse was adopted.

Question recurring on the committee amendment, as amended, it was adopted.

Question then recurring on Senate Concurrent Resolution No. 1, as amended, it was adopted.

SENATE BILL NO. 114 ON THIRD READING

The Chair laid before the House, on its third reading and final passage, S. B. No. 114, A bill to be entitled

"An Act creating the Harris County Flood Control District, declaring it to be a governmental agency for reclamation and flood control in Harris County, defining its powers, authorizing it to acquire and dispose of property, to sue and be sued, to adopt a seal, to appoint a general manager and other officers, agents and employees, and counsel, to fix compensation and to prescribe their duties, providing for surveys, authorizing the devising of plans and the construction of works for flood control and reclamation, to prevent the deposit of silt in navigable streams, authorizing the removal of obstructions, permitting cooperation and contracting with the United States of America and its agencies, and declaring an emergency."

The bill was read third time, and was passed.

Mr. Skaggs moved to reconsider the vote by which Senate Bill No. 114 was passed.

Mr. Morse moved to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—91

Adkins	Hardin
Amos	Harrell
Baker	Hartzog
Bates	Heflin
Bell	Herzik
Blankenship	Holland
Boyer	Hoskins
Bradbury	Howard
Bradford	Huddleston
Broadfoot	Hull
Callan	Hyder
Carsow	Jackson
Cathey	James
Cauthorn	Johnson of Ellis
Davis of Haskell	Johnson
Davis of Jasper	of Tarrant
Davison of Fisher	Jones of Angelina
Davisson	Jones of Atascosa
of Eastland	Kelt
Dean	Kenyon
Dickison	King
Dollins	Knetsch
Felty	Langdon
Fox	Lanning
Fuchs	Leonard
Hankamer	Leyendecker
Hanna	Little
Harbin	Loggins

Lucas	Reed of Dallas
Mann	Rhodes
Mauritz	Roark
McCracken	Rutta
McDonald	Schuenemann
McFarland	Shell
McKinney	Simpson
Moffett	Smith of Tarrant
Monkhouse	Stevenson
Morse	Tarwater
Newton	Thornberry
Oliver	Thornton
Patterson of Mills	Vale
Pope	Waggoner
Powell	Walker
Prescott	Weldon
Quinn	Westbrook
Ragsdale	Winfree
Reader	

Nays—35

Alsup	McConnell
Beckworth	Metcalfe
Boethel	Morris
Bond	Palmer
Bridgers	Patterson
Brown	of Travis
Burton	Petsch
Cagle	Reed of Bowie
Colquitt	Ross
Deglandon	Russell
Farmer	Sharpe
Hamilton	Skaggs
Harris of Archer	Stinson
Harris of Dickens	Stocks
Jones of Falls	Talbert
Jones of Wise	Tennyson
Keefe	Wood
Kern	Worley

Present—Not Voting

Alexander	Keith
Harper	London

Absent

Celaya	Mays
Cleveland	McKee
Derden	Nicholson
England	Riddle
Fielden	Settle
Gibson	Tennant
Harris of Dallas	

Absent—Excused

Graves	Smith of Hopkins
Lankford	Smith
Leath	of Matagorda
Sewell	

PAIRED

Mr. Keith (present), who would vote "nay", with Mr. Mays (absent), who would vote "yea".

Mr. London (present), who would

vote "nay", with Mr. Smith of Matagorda (absent), who would vote "yea".

BILLS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills:

H. B. No. 507, "An Act to validate the organization and creation of all Junior College Districts created in any manner under the provisions of the Acts of the Forty-first Legislature, 1929, page 648, Chapter 290 and/or under any amendment thereof; validating all proceedings and acts of the board of trustees of all independent school districts heretofore taken by such boards of trustees in creating or undertaking to create Junior College Districts; validating all proceedings and acts of boards of trustees, boards of education, or other governing bodies of Junior College Districts heretofore taken; validating all bonds, voted, authorized and/or sold and/or now outstanding of said districts; validating all tax levies made in behalf of said college districts; making certain exceptions, etc., and declaring an emergency."

H. B. No. 450, "An Act providing for the amount that may be allowed by County Boards of Trustees to the County Superintendents of Public Instruction for expenditures for office and traveling expenses in certain counties according to the last preceding Federal Census; repealing all laws and parts of laws, General or Special in conflict herewith, and declaring an emergency."

S. B. No. 333, "An Act creating a Special Road Law for Wise County, Texas, and declaring an emergency."

S. B. No. 114, "An Act creating the Harris County Flood Control District, declaring it to be a governmental agency for reclamation and flood control in Harris County, defining its powers, authorizing it to acquire and dispose of property, to sue and be sued, to adopt a seal, to appoint a general manager and other officers, agents and employees, and counsel, to fix compensation and to prescribe their duties, providing for surveys, authorizing the devising of plans and the construction of works for flood control and reclamation, to prevent

the deposit of silt in navigable streams, authorizing the removal of obstructions, permitting cooperation and contracting with the United States of America and its agencies, and declaring an emergency."

S. B. No. 418, "An Act making appropriation out of the General Fund of the State of Texas to pay the salaries and expenses of the District Attorney of the 30th Judicial District and the Assistant District Attorney for Archer and Young Counties in the 30th Judicial District, from January 1, 1937, to the end of the fiscal year, August 31, 1937, both days inclusive, and declaring an emergency."

SENATE BILL NO. 74 ON SECOND READING

The Chair laid before the House, on its second reading and passage to third reading,

S. B. No. 74, A bill to be entitled "An Act defining and regulating the practice of professional engineering in the State of Texas."

The bill was read second time.

Mr. Celaya moved that further consideration of the bill be postponed until 10:00 o'clock a. m., next Wednesday.

Mr. Alsup moved to table the motion to postpone.

The motion to table was lost.

Question recurring on the motion to postpone the bill, it prevailed.

HOUSE BILL NO. 128 ON PASSAGE TO ENGROSSMENT

The Chair laid before the House, as postponed business, on its passage to engrossment,

H. B. No. 128, A bill to be entitled "An Act providing for the compulsory adjustment, correction or repair of motor vehicles, and inspection thereof by the Department of Safety of the State of Texas, and providing a penalty for the violation of the provisions of the Act; repealing Article 6696, Revised Civil Statutes of Texas, 1925, and all laws and parts of laws in conflict herewith; providing that the terms of this Act shall be severable, and declaring an emergency."

The bill having heretofore been read second time, with committee amendment by Mr. England, and amendment by Mr. Mann to the committee amendment, and substitute by Mr. Reed of

Dallas for the amendment by Mr. Mann, pending.

Mr. McConnell raised a point of order, on further consideration of the substitute amendment by Mr. Reed of Dallas, on the ground that the amendment is not germane to the bill.

The Chair overruled the point of order.

Mr. Tennant raised a point of order, on further consideration of the amendment by Mr. Mann, on the ground that same seeks to delegate legislative authority not authorized by the Constitution.

The Chair overruled the point of order.

Mr. Mann moved to table the substitute amendment by Mr. Reed of Dallas.

The motion to table was lost.

Question recurring on the substitute amendment, it was adopted.

Mr. Thornton moved to table the amendment, as substituted.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—111

Adkins	Gibson
Alsup	Hamilton
Amos	Hankamer
Baker	Hanna
Beckworth	Harbin
Bell	Hardin
Blankenship	Harper
Boethel	Harrell
Bond	Harris of Dallas
Boyer	Harris of Dickens
Bradford	Hartzog
Bridgers	Heflin
Broadfoot	Hoskins
Burton	Howard
Cagle	Huddleston
Callan	Hull
Carssow	Hyder
Cathey	Jackson
Cauthorn	James
Cleveland	Johnson of Ellis
Colquitt	Johnson
Davis of Haskell	of Tarrant
Davis of Jasper	Jones of Angelina
Davisson	Jones of Atascosa
of Eastland	Jones of Falls
Dean	Keefe
Deglandon	Keith
Derden	Kelt
Dollins	Kenyon
England	Kern
Felty	King
Fuchs	Knetsch

Langdon	Reader
Lanning	Reed of Bowie
Leonard	Reed of Dallas
Leyendecker	Rhodes
Little	Riddle
Lucas	Roark
McCracken	Ross
McDonald	Russell
McFarland	Rutta
McKee	Schuenemann
McKinney	Settle
Metcalfe	Skaggs
Moffett	Smith of Tarrant
Morris	Stinson
Morse	Talbert
Newton	Tennant
Nicholson	Tennyson
Oliver	Thornberry
Palmer	Thornton
Patterson	Vale
of Travis	Waggoner
Petsch	Weldon
Pope	Winfree
Prescott	Wood
Quinn	Worley

Nays—14

Bradbury	Loggins
Brown	Mann
Farmer	McConnell
Fielden	Patterson of Mills
Harris of Archer	Powell
Holland	Simpson
Jones of Wise	Stocks

Absent

Alexander	Mays
Bates	Monkhouse
Celaya	Ragsdale
Davison of Fisher	Sharpe
Dickison	Shell
Fox	Stevenson
Herzik	Tarwater
London	Walker
Mauritz	Westbrook

Absent—Excused

Graves	Smith of Hopkins
Lankford	Smith
Leath	of Matagorda
Sewell	

Mr. Keefe moved the previous question on the passage of House Bill No. 128 to engrossment, and the motion was not seconded.

Mr. London offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 128, by striking out the word "is" in line 11, page 2, and inserting in lieu thereof the word "it".

The amendment was adopted.

Mr. London offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 128, by adding after the word "and" and before the word "shall" in line 39, page 2, the following words "upon conviction".

The amendment was adopted.

Mr. Keith offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 128, Section 5, by adding, immediately following the words "seventy-five thousand", the following: "according to the last preceding Federal Census".

The amendment was adopted.

Mr. Derden offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to House Bill No. 128, by striking out line 27, page one, and insert in lieu thereof the following: "respect to brakes, lights and steering mechanism".

Mr. Wood offered the following substitute for the amendment by Mr. Derden:

Amend committee amendment No. 1 to House Bill No. 128, by adding a new section to be numbered as 1-A:

"The words 'mechanism' and 'equipment' as used in this Act shall be construed to mean 'head lights and tail lights', 'horn', 'windshield wipers', 'steering gear equipment', and under no conditions shall these words be construed to mean the mechanical operation of the motive power and tires of any vehicle."

Mr. Derden moved to table the substitute amendment by Mr. Wood.

The motion to table was lost.

Question recurring on the substitute amendment, it was adopted.

Question—Shall the amendment, as substituted, be adopted?

MESSAGE FROM THE SENATE

Austin, Texas, March 25, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

H. B. No. 509, A bill to be entitled "An Act to declare a closed season

on the killing of quail in Montague County, Texas, for a period ending January 16, 1939; prescribing a penalty for the violation of this Act, and declaring an emergency." (With amendments.)

S. C. R. No. 36, Granting permission to the Clement Grain Company of Waco, McClennan County, Texas, to sue the State.

S. B. No. 46, A bill to be entitled "An Act amending Article 2484, Revised Civil Statutes of 1925, as amended by Act of 1929, Forty-first Legislature, Second Called Session, Chapter 85, page 168, Section 1, requiring certain reports to be made to the Banking Commissioner, and prescribing the time for filing such reports, the fees therefor, prescribing penalty for failure to file; exempting such associations from all franchise or other license tax, and declaring an emergency."

S. B. No. 66, A bill to be entitled "An Act to amend the second paragraph of Section 1, of Article 8309, of the Revised Civil Statutes of the State of Texas of 1925, captioned 'Employee'; enlarging the scope of its meaning, and defining the same, and declaring an emergency."

S. B. No. 95, A bill to be entitled "An Act relating to the salaries of all state officers and all state employees, except judges of the district and all appellate courts, Judges of the Supreme Court Commission of Appeals, Judges of the Commission in aid of the Court of Criminal Appeals, Attorney General and those constitutional state officers whose salaries are specifically fixed by the Constitution; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

S. B. No. 164, A bill to be entitled "An Act to amend Articles 5483 and 5486, Chapter 5, Title 90, of Revised Civil Statutes of 1925, and declaring an emergency."

S. B. No. 224, A bill to be entitled "An Act to amend Article 392 of the Revised Civil Statutes of Texas as amended by Chapter 6 of the Acts of the Forty-fourth Legislature at the Regular Session and providing for the addition of securities guaranteed by Titles III and IV of the National Housing Act enacted by the Congress of the United States and approved by the President, June 27, 1934, as lawful investments by State banks, and declaring an emergency."

S. B. No. 322, A bill to be entitled "An Act granting to Tom J. Taylor of Burnet County, Texas, the right or permission, to bring suit against the State of Texas and/or the State Highway Department, in any court of competent jurisdiction in Travis County, Texas, and declaring an emergency."

S. B. No. 305, A bill to be entitled "An Act appropriating the fund provided for the use and benefit of the Comptroller in the administration and enforcement of the provisions of the Act as provided for in Section 9 of H. B. No. 89, Chapter 353, Acts of the Regular Session of the Forty-fourth Legislature, for the use and benefit of the Comptroller in administration of said Act from and after May 30, 1937, for the remainder of the fiscal year ending August 31, 1937, and declaring an emergency."

S. B. No. 332, A bill to be entitled "An Act to amend Section 17, H. B. No. 68, Chapter 3, of the Acts of the Regular Session of the Forty-fourth Legislature, so as to extend the time of existence of the Special District Court of Smith County, Texas, and declaring an emergency."

S. B. No. 376, A bill to be entitled "An Act to amend Article 6069, Revised Civil Statutes of Texas, relating to the duties of the State Parks Board, and declaring an emergency."

S. B. No. 12, A bill to be entitled "An Act creating the Motor Transportation Division of the Railroad Commission, and declaring an emergency."

S. B. No. 64, A bill to be entitled "An Act to amend Title 130 of the Revised Civil Statutes of 1925, as amended, so as to protect the claimant or beneficiary of Workmen's Compensation Insurance by simplifying the procedure in the courts and by providing a more equitable basis for allowing attorney's fees in such cases, providing that in such cases certain facts shall be presumed unless denied under oath; and further providing that attorney's fees in such cases shall be allowed only on a basis of benefits accruing to the beneficiary or claimant, and declaring an emergency."

S. B. No. 80, A bill to be entitled "An Act authorizing and empowering all water improvement districts created and organized under Chapter 2 of Title 128, Revised Civil Statutes of Texas, to levy, assess and collect an annual tax, and declaring an emergency."

S. B. No. 89, A bill to be entitled "An Act amending Article 1583 of the Penal Code of Texas, 1925, relating to work and vacation of firemen and policemen in cities of more than twenty-five thousand (25,000) inhabitants and in cities of more than thirty thousand (30,000) inhabitants; fixing the number of hours that shall constitute a legal day's work in such departments; providing for emergency pay; providing for a minimum wage scale; providing penalty for violation of the provisions of this Article, and declaring an emergency."

S. B. No. 107, A bill to be entitled "An Act to validate all ad valorem tax levies heretofore made by incorporated cities and towns in the State of Texas which levies are unenforceable because of failure of the governing body of each respective incorporated city and town to make such levy by ordinance, and which are unenforceable because of the failure of such governing bodies to appoint the statutory Board of Equalization, and declaring an emergency."

S. B. No. 143, A bill to be entitled "An Act making appropriations to pay deficiency appropriations granted by the Governor during the fiscal year ending August 31, 1936, and declaring an emergency."

S. B. No. 144, A bill to be entitled "An Act amending Articles 4925 and 4926, Revised Civil Statutes, 1925, so as to clarify the same by providing that the total recoveries permitted on the bonds therein provided for shall not exceed the face value of the bonds, and declaring an emergency."

S. B. No. 259, A bill to be entitled "An Act providing for the apprehension, arrest and trial of one alleged to be of unsound mind, and declaring an emergency."

S. B. No. 270, A bill to be entitled "An Act to amend Article 3899 of the Revised Statutes of Texas of 1925, as amended by Acts of the Forty-fourth Legislature, and declaring an emergency."

S. B. No. 423, A bill to be entitled "An Act relating to the compensation of the county judge, sheriff, district attorney or criminal district attorney, and declaring an emergency."

Respectfully,

BOB BARKER,

Secretary of the Senate.

MESSAGE FROM THE SENATE

Austin, Texas, March 25, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has reconsidered the vote by which the House amendments to Senate Bill No. 282 were concurred in, and refused to concur and requests the appointment of a conference committee to adjust the difference between the two Houses.

The following have been appointed, on the part of the Senate:

Senators Oneal, Head, Lemens, Aikin and Roberts.

Respectfully,

BOB BARKER,

Secretary of the Senate.

REQUEST OF SENATE GRANTED

On motion of Mr. Tennyson, the House granted the request of the Senate for the appointment of a conference committee to adjust the differences between the two Houses on Senate Bill No. 282.

CONFERENCE COMMITTEE ON SENATE BILL NO. 282

The Speaker announced the appointment of the following conference committee, on the part of the House, on Senate Bill No. 282: Messrs. Tennyson, Thornton, Boethel, Bradbury and Kern.

ADDRESS BY MISS CAROLYN JONES

Mr. Gibson offered the following resolution:

Whereas, Carolyn Jones, a nine-year old fifth grade student in the New London School in Rusk County, and one of the survivors of the recent tragedy is now in the Capitol Building; therefore, be it

Resolved by the House of Representatives, That this young lady be invited to address the House at eleven-thirty o'clock today.

The resolution was read second time, and was adopted.

In accordance with the above action, the Chair announced the appointment of the following committee to escort the visitor to the Speaker's stand: Messrs. Gibson, McKee, Roark and Tennant.

The committee having performed their duty, Mr. Alexander, who was

in the Chair, presented Mr. Gibson who in turn introduced Miss Carolyn Jones.

Miss Carolyn Jones then addressed the House, as follows:

"Mr. President, Members of the House of Representatives and friends of school children, I am here today as a representative of the New London School and as a survivor of the school explosion that took the lives of nearly 500 pupils, teachers and parents.

Last Thursday afternoon while my colleague and I were studying spelling for the Interscholastic Meet in which we were going to represent our school the next day, our teacher, Mrs. Sory, saw some pictures fall from the wall, and several vases crash from the desks. In an instant she had jerked open two nearby windows and said, "Get out of here". We were clinging to her when we heard that first awful rumble that in a few seconds caused the room to collapse. Mrs. Sory helped us out of the window and in another few seconds we were separated by the dark cloud of dust that blinded us. When it got so I could see again, I ran home as fast as I could. My teacher and friend were not killed, but I did not see them again.

My sister, Helen Jones, an honor student and member of the high school champion debate team was not so fortunate. She and my uncle, Paul Greer, a senior who planned to study medicine, were both taken from us in this awful explosion that killed so many of the future generation of East Texas.

When the announcement was made a few hours earlier by our Principal that school would be dismissed for the County Meet, the usual joy and excitement of a holiday prevailed. Little did we realize that we soon would be searching in the ruins of our beautiful school buildings for the bodies of our sisters and brothers and teachers.

First, as a representative of these school friends and teachers of mine, both living and dead, I am here today to express our appreciation for all that you and our splendid Governor are doing for the relief of the suffering people of this community.

Second, let us suggest the Legislature of Texas set aside a special day each year to be observed as a Memorial Day on which tribute will be

paid to the teachers and children who died in this catastrophe.

We want to thank you also for the Memorial Fund to which many of you have already contributed and to which people from all over the world are sending donations. We believe if those students and teachers who died could speak they would want a living Memorial instead of a stately building. By all means we should have an appropriate but simple structure on which will appear names of each pupil, teacher and parent who died.

With the remaining portion of money, our teachers suggest an endowment fund to be used for the future education of the surviving students, so that each might be assured of a college education if they desired it.

In conclusion, let me urge you our law making body to make laws of safety so it will not be possible for another explosion of this type to occur in the history of Texas schools. Our daddys and mothers, as well as the teachers want to know that when we leave our homes in the morning to go to school we will come out safe when our lessons are over.

Out of this explosion we have learned of a new hazard that hovers about some of our school buildings. If this hazard can be forever blotted out of existence, then we will not have completely lost our loved ones in vain.

We need say nothing more on the point of safety legislation because we, the children of London School, know our faith in our government will not be betrayed. We will have safe school buildings in the future.

All of us who were spared will try to show our appreciation by striving to become the finest of citizens to carry on the work of this wonderful land of yours and mine.

This is our plea.

I thank you."

On motion of Mr. Reed of Dallas, the above address was ordered printed in the Journal.

NAMING MISS CAROLYN JONES AS MASCOT

On motion of Mr. Prescott, Miss Carolyn Jones was named Official Mascot of the House of Representatives.

MESSAGE FROM THE SENATE

Austin, Texas, March 25, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has reconsidered the vote by which the conference report on House Bill No. 150 was adopted, and has granted the request of the House that the conferees be requested to consider further the differences between the two Houses.

Respectfully,

BOB BARKER,
Secretary of the Senate.

SENATE BILLS ON FIRST
READING

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 46, to the Committee on Banks and Banking.

Senate Bill No. 66, to the Committee on Labor.

Senate Bill No. 95, to the Committee on Appropriations.

Senate Bill No. 164, to the Committee on Labor.

Senate Bill No. 224, to the Committee on Banks and Banking.

Senate Bill No. 322, to the Committee on State Affairs.

Senate Bill No. 305, to the Committee on Appropriations.

Senate Bill No. 332, to the Committee on Judicial Districts.

Senate Bill No. 376, to the Committee on Public Lands and Buildings.

Senate Bill No. 64, to the Committee on Judiciary.

Senate Bill No. 80, to the Committee on Revenue and Taxation.

Senate Bill No. 423, to the Committee on Counties.

Senate Bill No. 270, to the Committee on Counties.

Senate Bill No. 259, to the Committee on Criminal Jurisprudence.

Senate Bill No. 144, to the Committee on Judiciary.

Senate Bill No. 143, to the Committee on Appropriations.

Senate Bill No. 107, to the Committee on Municipal and Private Corporations.

Senate Bill No. 89, to the Committee on Labor.

Senate Bill No. 12, to the Committee on Highways and Motor Traffic.

(Speaker in the Chair.)

HOUSE CONCURRENT RESOLUTION
NO. 75 WITH SENATE
AMENDMENTS

Mr. Ross called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

House Concurrent Resolution No. 75, Concerning use of certain State Highway Equipment.

The Speaker laid the resolution before the House with the Senate amendments.

On motion of Mr. Ross, the House concurred in the Senate amendments.

MESSAGE FROM THE SENATE

Austin, Texas, March 25, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

H. B. No. 714, A bill to be entitled "An Act making an emergency appropriation out of the Special Racing Fund of Ten Thousand Two Hundred Sixty (\$10,260) Dollars to the Texas Racing Commission for the remainder of the fiscal year ending August 31, 1937, and declaring an emergency."

Respectfully,

BOB BARKER,
Secretary of the Senate.

RECESS

Mr. Dean moved that the House recess to 1:30 o'clock p. m., today.

Mr. Colquitt moved that the House recess to 2:00 o'clock p. m., today.

Mr. Johnson of Ellis moved that the House recess to 2:30 o'clock p. m., today.

The motion of Mr. Colquitt prevailed and the House, accordingly, at 12:00 o'clock m., took recess to 2:00 o'clock p. m., today.

AFTERNOON SESSION

The House met at 2:00 o'clock p. m., and was called to order by the Speaker.

HOUSE BILL NO. 509 WITH
SENATE AMENDMENTS

Mr. London called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 509, A bill to be entitled "An Act to declare a closed season on the killing of quail in Montague County, Texas, for a period ending January 16, 1939; prescribing a penalty for the violation of this Act, and declaring an emergency."

The Speaker laid the bill before the House with the Senate amendments.

On motion of Mr. London, the House concurred in the Senate amendments.

LEAVES OF ABSENCE GRANTED
(By unanimous consent)

Mr. Fielden, Mr. Morris and Mr. Bates were granted leaves of absence for this afternoon and tomorrow, on account of important business, on motion of Mr. Metcalfe.

HOUSE BILL NO. 128 ON PASSAGE
TO ENGROSSMENT

The House resumed consideration of pending business, same being House Bill No. 128, concerning adjustment and operations of motor vehicles, on its passage to engrossment.

The bill having heretofore been read second time, with committee amendment by Mr. England, and amendment by Mr. Derden, as substituted by amendment by Mr. Wood, to the committee amendment, pending.

Mr. Farmer offered the following amendment to the amendment by Mr. Derden, as substituted by amendment by Mr. Wood:

Amend amendment, as substituted, by striking out the words "windshield wiper".

Mr. Keith raised a point of order, on further consideration of the amendment, on the ground that it is not in order to amend an amendment as substituted.

The Speaker sustained the point of order.

Question recurring on the amendment, as substituted, it was adopted.

Mr. Pope offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 128, by adding at the end of Section 6 the following: "and for the third offense by imprisonment in the penitentiary for not less than two nor more than five years".

Mr. Wood offered the following substitute for the amendment by Mr. Pope:

Amend committee amendment No. 1 to House Bill No. 128, by striking out Section 6 and inserting the following:

"Sec. 6. Any person who refuses to have his car examined or after having had his car examined refuses to place the certificate of approval, if issued, upon his windshield or any person who fraudulently obtains a certificate of approval or any person who refuses to place his car in proper condition after having had said car examined, or any person who in manner fails to conform to the provision of this Act shall be guilty of violating the provisions of this Act, and upon conviction shall be fined not less than Twenty-five (\$25.00) and not more than One Hundred (\$100.00) Dollars."

The substitute amendment was lost.

Mr. Quinn moved to table the amendment by Mr. Pope.

The motion to table prevailed.

Mr. Pope offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 128, by striking out of the bill as amended the words "windshield" or "windshield wiper" wherever they appear.

Mr. England moved to table the amendment by Mr. Pope.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—28

Baker	Fox
Bell	Graves
Boethel	Hamilton
Bond	Harper
Burton	Harris of Dallas
Cleveland	Keefe
Colquitt	Keith
Davisson	McFarland
of Eastland	Morse
England	Nicholson
Felty	Prescott

Reed of Dallas	Stinson
Ross	Thornberry
Settle	Weldon
Skaggs	
Nays—99	
Adkins	King
Alexander	Knetsch
Alsup	Lanning
Amos	Little
Beckworth	Loggins
Blankenship	London
Boyer	Lucas
Bradbury	Mann
Bradford	Mauritz
Bridgers	McConnell
Broadfoot	McCracken
Brown	McDonald
Cagle	McKee
Callan	McKinney
Carssow	Metcalfe
Cauthorn	Moffett
Celaya	Monkhouse
Davis of Jasper	Newton
Dean	Oliver
Deglandon	Palmer
Derden	Patterson
Dickison	of Travis
Dollins	Petsch
Farmer	Pope
Fuchs	Powell
Gibson	Reed of Bowie
Hankamer	Rhodes
Hanna	Riddle
Hardin	Roark
Harrell	Russell
Harris of Archer	Rutta
Harris of Dickens	Schuenemann
Hartzog	Sharpe
Heflin	Shell
Herzik	Simpson
Holland	Smith of Tarrant
Howard	Stevenson
Huddleston	Stocks
Hull	Talbert
Hyder	Tarwater
Jackson	Tennant
Johnson of Ellis	Tennyson
Johnson	Thornton
of Tarrant	Vale
Jones of Angelina	Waggoner
Jones of Atascosa	Walker
Jones of Falls	Westbrook
Jones of Wise	Winfree
Kelt	Wood
Kenyon	Worley
Kern	
Absent	
Cathey	James
Davis of Haskell	Langdon
Davison of Fisher	Leonard
Harbin	Leyendecker
Hoskins	Mays

Patterson of Mills Ragsdale
Quinn Reader

Absent—Excused

Bates Sewell
Fielden Smith of Hopkins
Lankford Smith
Leath of Matagorda
Morris

The amendment by Mr. Pope was then adopted.

Mr. Bond moved the previous question on the engrossment of the bill, and the motion was duly seconded.

Question recurring on the motion for the main question, it was lost.

Mr. Colquitt offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 128, page 3, Section 17, line 9, by striking out all of lines 9, 10 and 11 after the word "authorized" and insert in lieu thereof the words: "assign, subject to existing laws, any member or members of the State Highway Patrol it may require for the administration and enforcement of this Act".

The amendment was adopted.

Mr. Sharpe offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 128, by striking out Section 1 thereof and inserting in lieu thereof the following:

"Section 1. It shall be the duty of the Department of Public Safety of the State of Texas to require every motor vehicle registered in this State which is used over the highways of this State, (except implements of husbandry) motorcycles and bicycles with motor attached to have attached governor or regulator which will confine the speed of such vehicle to not more than fifty-five miles per hour, and to have such motor vehicles inspected with respect to mechanism, brakes and equipment, by designated inspectors and/or at official inspection stations to be designated by the Department of Public Safety of the State of Texas."

SHARPE,
BRADBURY.

Mr. Hanna offered the following amendment to the bill:

"Amend House Bill No. 128, by striking out the enacting clause thereof."

A point of order was raised, on further consideration of the amendment by Mr. Hanna, on the ground that a similar amendment has heretofore been defeated on this reading of the bill.

The Speaker sustained the point of order.

Mr. Metcalfe moved the previous question on the pending amendments and the passage of House Bill No. 128 to engrossment, and the motion was duly seconded.

The motion for the main question was lost.

Mr. England moved to table the amendment by Mr. Sharpe.

The motion to table prevailed.

Mr. Harper offered the following amendment to the committee amendment:

Amend Section 1, committee amendment 1, by adding subsection A by adding: "not more than twice in any one year shall such inspections be made."

The amendment was adopted.

Mr. Broadfoot offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 128, by striking out Section 1 thereof and inserting in lieu thereof the following:

"Section 1. It shall be the duty of the Department of Public Safety of the State of Texas to require every motor vehicle registered in this State which is used over the highways of this State, (except implements of husbandry) motorcycles and bicycles with motor attached to have attached governor or regulator which will confine the speed of such vehicle to not more than fifty-five miles per hour, and to have such motor vehicles inspected with respect to mechanism, brakes and equipment, by designated inspectors and/or at official inspection stations to be designated by the Department of Public Safety of the State of Texas; provided that a governor shall not be required on vehicles not capable of moving under its own power at a speed of more than fifty-five miles per hour."

Mr. Beckworth moved to postpone further consideration of House Bill No. 128 until 10:00 o'clock a. m., March 30.

On motion of Mr. Broadfoot, the above motion was tabled.

Mr. Harris of Dickens moved to table the amendment by Mr. Broadfoot.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—76

Alexander	Jones of Angelina
Alsup	Knetsch
Amos	Leonard
Baker	Little
Beckworth	Loggins
Blankenship	Mauritz
Boethel	McCracken
Bond	McDonald
Boyer	McFarland
Bradford	Metcalfe
Cagle	Moffett
Callan	Monkhouse
Carsow	Morse
Cauthorn	Nicholson
Celaya	Oliver
Colquitt	Patterson
Dean	of Travis
Deglandon	Petsch
Derden	Powell
Dickison	Prescott
Dollins	Ragsdale
England	Reed of Dallas
Felty	Rhodes
Graves	Riddle
Hamilton	Ross
Hankamer	Russell
Harper	Settle
Harris of Dallas	Shell
Harris of Dickens	Smith of Hopkins
Hartzog	Smith of Tarrant
Heflin	Stinson
Hoskins	Stocks
Howard	Talbert
Hull	Tennant
Hyder	Tennyson
Jackson	Thornberry
James	Thornton
Johnson of Ellis	Worley
Johnson	
of Tarrant	

Nays—44

Adkins	Hardin
Bradbury	Harrell
Bridgers	Harris of Archer
Broadfoot	Holland
Burton	Huddleston
Cathey	Jones of Atascosa
Cleveland	Jones of Falls
Davis of Haskell	Jones of Wise
Davis of Jasper	Keefe
Farmer	Keith
Fox	Kelt
Gibson	Kenyon
Hanna	Kern

King	Roark	Jones of Wise	Patterson of Travis
Lanning	Rutta	Keefe	Petsch
London	Sharpe	Keith	Quinn
Lucas	Simpson	Kelt	Rhodes
Mann	Stevenson	King	Roark
McConnell	Waggoner	Lanning	Russell
McKee	Walker	Loggins	Sharpe
Quinn	Weldon	London	Smith of Tarrant
Reed of Bowie	Westbrook	Lucas	Stocks
Present—Not Voting		Mann	Talbert
Herzik		Mauritz	Tennant
Absent		McDonald	Tennyson
Bell	Newton	McFarland	Thornberry
Brown	Palmer	Metcalfe	Waggoner
Davison of Fisher	Patterson of Mills	Moffett	Weldon
Davison	Pope	Monkhouse	Westbrook
of Eastland	Reader	Oliver	
Fuchs	Schuenemann	Nays—60	
Harbin	Skaggs	Adkins	Johnson
Langdon	Tarwater	Alexander	of Tarrant
Leyendecker	Vale	Bell	Jones of Atascosa
Mays	Winfree	Blankenship	Kenyon
McKinney	Wood	Boyer	Kern
Absent—Excused		Bradford	Knetsch
Bates	Morris	Broadfoot	Leonard
Fielden	Sewell	Burton	Little
Lankford	Smith	Cathey	McConnell
Leath	of Matagorda	Celaya	McCracken
Mr. Petsch moved the previous question on the pending amendments and the engrossment of House Bill No. 128, and the motion was duly seconded.		Colquitt	McKee
Question recurring on the motion for the main question, yeas and nays were demanded.		Davis of Haskell	Morse
The roll of the House was called, and the vote announced as follows: Yeas, 63; Nays, 62.		Davis of Jasper	Nicholson
A verification of the vote was requested.		Deglandon	Pope
The roll of the "yeas" and "nays" was again called, and the verified vote resulted as follows:		Dickison	Powell
Yeas—61		Dollins	Prescott
Alsup	Derden	Farmer	Ragsdale
Amos	England	Gibson	Reed of Bowie
Beckworth	Felty	Hankamer	Reed of Dallas
Boethel	Fox	Hanna	Ross
Bond	Hamilton	Hardin	Rutta
Bradbury	Harbin	Harris of Archer	Schuenemann
Bridgers	Harrell	Harris of Dallas	Settle
Brown	Harris of Dickens	Hartzog	Shell
Cagle	Heflin	Hoskins	Simpson
Callan	Herzik	Howard	Stevenson
Carssow	Holland	Huddleston	Stinson
Cauthorn	Hull	Hyder	Thornton
Cleveland	Jones of Angelina	Jackson	Walker
Dean	Jones of Falls	James	Wood
		Johnson of Ellis	
		Absent	
		Baker	Newton
		Davison of Fisher	Palmer
		Davison	Patterson of Mills
		of Eastland	Reader
		Fuchs	Riddle
		Graves	Skaggs
		Harper	Tarwater
		Langdon	Vale
		Leyendecker	Winfree
		Mays	Worley
		McKinney	

Absent—Excused

Bates	Sewell
Fielden	Smith of Hopkins
Lankford	Smith
Leath	of Matagorda
Morris	

The Speaker announced that the motion for the main question prevailed.

Question first recurring on the committee amendment, as amended, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—70

Baker	Knetsch
Bell	Leonard
Blankenship	Little
Boethel	Lucas
Bond	Mann
Bradbury	Mauritz
Broadfoot	McConnell
Brown	McDonald
Burton	McFarland
Carssow	McKinney
Cathey	Metcalfe
Cauthorn	Moffett
Celaya	Monkhouse
Cleveland	Morse
Colquitt	Newton
Davisson	Nicholson
of Eastland	Patterson
Dean	of Travis
Deglandon	Prescott
Dickison	Reed of Dallas
Dollins	Rhodes
England	Riddle
Felty	Russell
Fox	Rutta
Graves	Settle
Hamilton	Stinson
Harbin	Stocks
Harrell	Talbert
Harris of Dallas	Tennant
Harris of Dickens	Tennyson
Hartzog	Thornberry
Holland	Thornton
Howard	Waggoner
Keefe	Walker
Keith	Weldon
Kenyon	Winfree

Nays—54

Adkins	Callan
Alexander	Davis of Jasper
Alsup	Derden
Amos	Farmer
Beckworth	Fuchs
Bradford	Gibson
Bridgers	Hankamer
Cagle	Hanna

Hardin	Lanning
Harris of Archer	Loggins
Heflin	London
Herzik	McCracken
Hoskins	Oliver
Huddleston	Petsch
Hull	Powell
Hyder	Quinn
Jackson	Ragsdale
James	Reed of Bowie
Johnson of Ellis	Roark
Johnson	Sharpe
of Tarrant	Simpson
Jones of Angelina	Smith of Tarrant
Jones of Atascosa	Stevenson
Jones of Falls	Tarwater
Jones of Wise	Westbrook
Kelt	Wood
Kern	Worley
King	

Present—Not Voting

Boyer

Absent

Davis of Haskell	Patterson of Mills
Davison of Fisher	Pope
Harper	Reader
Langdon	Ross
Leyendecker	Schuenemann
Mays	Shell
McKee	Skaggs
Palmer	Vale

Absent—Excused

Bates	Sewell
Fielden	Smith of Hopkins
Lankford	Smith
Leath	of Matagorda
Morris	

Question recurring on the engrossment of House Bill No. 128, yeas and nays were demanded.

The roll of the House was called, and the vote announced as follows: Yeas, 64; Nays, 66.

A verification of the vote was requested.

The roll of the "yeas" and "nays" was again called, and the verified vote resulted as follows:

Yeas—62

Adkins	Burton
Baker	Carssow
Bell	Cauthorn
Blankenship	Celaya
Boethel	Cleveland
Bond	Colquitt
Bradbury	Davisson
Broadfoot	of Eastland
Brown	Dean

Dickison	Moffett
Dollins	Monkhouse
England	Morse
Felty	Newton
Fox	Nicholson
Fuchs	Patterson
Graves	of Travis
Hamilton	Petsch
Harbin	Prescott
Harrell	Quinn
Harris of Dallas	Reed of Dallas
Harris of Dickens	Rhodes
Hartzog	Ross
Holland	Rutta
Keefe	Settle
Keith	Smith of Tarrant
Leonard	Stinson
Mann	Stocks
Mauritz	Talbert
McConnell	Tennant
McDonald	Thornberry
McFarland	Thornton
Metcalf	Weldon

Nays—65

Alexander	Jones of Falls
Alsup	Jones of Wise
Amos	Kelt
Beckworth	Kenyon
Boyer	Kern
Bradford	King
Bridgers	Knetsch
Cagle	Lanning
Callan	Little
Cathey	Loggins
Davis of Haskell	London
Davis of Jasper	Lucas
Deglandon	McCracken
Derden	McKee
Farmer	McKinney
Gibson	Oliver
Hankamer	Powell
Hanna	Reed of Bowie
Hardin	Riddle
Harris of Archer	Roark
Heflin	Russell
Herzik	Schuenemann
Howard	Sharpe
Huddleston	Shell
Hull	Simpson
Hyder	Stevenson
Jackson	Tarwater
James	Tennyson
Johnson of Ellis	Waggoner
Johnson	Walker
of Tarrant	Westbrook
Jones of Angelina	Wood
Jones of Atascosa	Worley

Absent

Davison of Fisher	Mays
Harper	Palmer
Hoskins	Patterson of Mills
Langdon	Pope
Leyendecker	Ragsdale

Reader	Vale
Skaggs	Winfree

Absent—Excused

Bates	Sewell
Fielden	Smith of Hopkins
Lankford	Smith
Leath	of Matagorda
Morris	

The Speaker announced that House Bill No. 128 failed to pass to engrossment.

Mr. Lucas moved to reconsider the vote by which the bill failed to pass to engrossment and asked to have the motion to reconsider spread on the Journal.

Mr. Alsup called up the motion to reconsider, and moved to table the motion.

Question recurring on the motion to table, yeas and nays were demanded.

The roll of the House was called, and the vote announced as follows: Yeas, 63; Nays, 62.

A verification of the vote was requested.

The roll of the "yeas" and "nays" was again called, and the verified vote resulted as follows:

Yeas—63

Alexander	Jones of Atascosa
Alsup	Jones of Falls
Beckworth	Jones of Wise
Boyer	Kenyon
Bradford	Kern
Bridgers	King
Cagle	Knetsch
Callan	Lanning
Cathey	Little
Celaya	Loggins
Davis of Haskell	London
Dean	McKee
Deglandon	McKinney
Derden	Oliver
Farmer	Petsch
Gibson	Pope
Hankamer	Powell
Hanna	Prescott
Hardin	Quinn
Harrell	Reed of Bowie
Harris of Archer	Roark
Herzik	Russell
Holland	Sharpe
Hoskins	Simpson
Huddleston	Stevenson
Hull	Tarwater
Jackson	Tennyson
James	Waggoner
Johnson of Ellis	Walker
Johnson	Westbrook
of Tarrant	Wood
Jones of Angelina	Worley

Nays—62	
Adkins	Lucas
Amos	Mann
Baker	Mauritz
Bell	McConnell
Blankenship	McCracken
Boethel	McDonald
Bond	McFarland
Bradbury	Metcalfe
Broadfoot	Moffett
Burton	Monkhouse
Carssow	Morse
Cauthorn	Newton
Colquitt	Nicholson
Davis of Jasper	Patterson
Davisson	of Travis
of Eastland	Ragsdale
Dickison	Reed of Dallas
Dollins	Rhodes
England	Riddle
Felty	Ross
Graves	Rutta
Hamilton	Schuenemann
Harbin	Settle
Harris of Dallas	Skaggs
Harris of Dickens	Smith of Tarrant
Hartzog	Stinson
Howard	Stocks
Hyder	Talbert
Keefe	Tennant
Keith	Thornberry
Kelt	Thornton
Leonard	Weldon
Present—Not Voting	
Harper	
Absent	
Brown	Fuchs
Cleveland	Heflin
Davison of Fisher	Langdon
Fox	Leyendecker

Mays
Palmer
Patterson of Mills
Reader

Shell
Vale
Winfree

Absent—Excused

Bates
Fielden
Lankford
Leath
Morris

Sewell
Smith of Hopkins
Smith
of Matagorda

The Speaker announced that the motion to table prevailed.

SENATE BILL NO. 99 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 99, A bill to be entitled "An Act making appropriations for the support and maintenance of West Texas State Teachers College and for the erection of permanent improvements at the West Texas State Teachers College, and declaring an emergency."

The bill was read second time.

Mr. Thornton offered the following committee amendment to the bill:

Amend Senate Bill No. 99, by striking out Section 1 thereof and inserting in lieu thereof the following:

"Section 1. There is hereby appropriated out of any monies out of the General Revenue Fund, not otherwise appropriated, or so much thereof as may be necessary, to the following State Educational Institutions, and for the purposes hereinafter enumerated:

- a. To the Southwest Texas State Teachers College:
 1. For gymnasium building and repairs and other improvements in connection with PWA projects..... \$28,500.00
 2. For plant maintenance and repairs, and upkeep and improvement of grounds 12,625.00
 - Total Southwest Texas State Teachers College \$41,125.00
- b. To the John Tarleton Agricultural College for the purpose of erecting water tower on campus of said college..... \$ 7,500.00
- c. To the West Texas State Teachers College:
 1. For heat, light, water, and general maintenance..... \$ 7,000.00
 2. For teachers salaries contracted to be paid out of local funds exhausted by reason of erecting WPA project..... 10,000.00
 3. For completion of existing WPA projects..... 10,631.93
 4. For the completion of the construction of a swimming pool . 3,000.00

5.	For the purpose of enabling the West Texas State Teachers College to participate with the WPA in the construction of other improvements on the campus.....	3,234.25
	Total West Texas State Teachers College.....	\$33,866.18
d.	Sul Ross State Teachers College for the balance of the fiscal year ending August 31, 1937, for salary, maintenance, and equipment, and to carry on WPA projects.....	\$14,050.00
e.	To the Sam Houston State Teachers College:	
1.	For heat, light, and water and general maintenance.....	\$ 3,500.00
2.	For teachers salaries contracted to be paid out of local fund exhausted by reason of erecting WPA projects.....	2,500.00
3.	For the completion and building of a boys' dormitory.....	10,000.00
4.	For constructing and building a sidewalk in front of the Sam Houston Park and Museum.....	465.00
	Total Sam Houston State Teachers College.....	\$16,465.00
f.	North Texas Agricultural College:	
1.	To meet an allotment of the Federal Government of \$34,000 to be used for the purpose of erecting a dairy barn, creamery, cannery, and warehouse	\$21,000.00
2.	To comply with the conditions of an allotment of \$17,500 by the PWA to be used for the purpose of erecting cottages for housing	7,500.00
	Total North Texas Agricultural College.....	\$28,500.00
g.	North Texas State Teachers College:	
1.	To provide funds for altering and reconditioning old library building	\$ 5,000.00
2.	To reimburse local fund of said college for money used to build a student-teaching laboratory	3,500.00
3.	To reimburse local fund of said college for money used by said college in the removal of four frame buildings from the new library site and reconditioning them for use as a home-management house, a nursery school, and two co-operative cottages	2,581.84
4.	To provide funds for the purchase of equipment for the new library	10,000.00
5.	To reimburse the local fund for money used to meet PWA grant used to build an addition to the hospital.....	6,722.00
	Total North Texas State Teachers College.....	\$27,803.84
h.	To Texas State College for Women (C. I. A.) for general repairs, maintenance, and support:	
	Equipment	\$ 5,000.00
	Light, heat, and power	10,000.00
	Catalogue and printing	1,000.00
	Departmental maintenance	5,000.00
	Library maintenance	1,000.00
	Janitor's supplies	500.00

Miscellaneous	1,500.00
Repairs on buildings	5,000.00
Total Texas State College for Women.....	\$28,000.00
i. To Stephen F. Austin State Teachers College:	
1. Two teachers, Home Economics, six months at \$174.92 each per month	\$ 2,099.04
2. One teacher of art, four and one-half months at \$174.90.....	787.05
3. One teacher of Economics and Sociology and Business Administration, six months at \$224.90 per month.....	1,349.40
4. Equipment for Stone Fort Museum.....	4,999.00
5. Curator, Stone Fort Museum, eight months at \$149.90.....	1,199.20
Total Stephen F. Austin State Teachers College.....	\$10,433.69
j. To Texas Technological College:	
1. For the purpose of topping streets within college campus....	\$ 3,999.00
2. For the purpose of erecting, building, equipping and constructing cottages on said campus.....	14,999.00
Total Texas Technological College.....	\$18,998.00
Grand Total	\$226,741.71

Section 2. The fact that emergency appropriations for said State Educational Institutions are necessary to enable said institutions to carry on their activities creates an emergency and an imperative public necessity which justifies the suspension of the Constitutional Rule requiring bills to be read on three several days in each House, and said Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

The amendment was adopted.

Senate Bill No. 99 was then passed to third reading.

SENATE BILL NO. 99 ON THIRD READING

Mr. Thornton moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 99 be placed on third reading and final passage.

The motion prevailed by the following vote:

Yeas—121

Adkins
Alexander
Alsup
Amos
Baker
Beckworth

Bell
Bond
Boyer
Bradford
Bridgers
Broadfoot

Burton
Callan
Carssow
Cathey
Cauthorn
Celaya
Cleveland
Colquitt
Davis of Haskell
Davis of Jasper
Davisson
of Eastland
Dean
Deglandon
Derden
Dickison
Dollins
Farmer
Felty
Fuchs
Gibson
Graves
Hamilton
Hankamer
Hanna
Harbin
Harper
Harrell
Harris of Archer
Harris of Dallas
Harris of Dickens
Hartzog
Heflin
Herzik
Holland

Hoskins
Howard
Huddleston
Hull
Hyder
Jackson
James
Johnson of Ellis
Johnson
of Tarrant
Jones of Angelina
Jones of Atascosa
Jones of Falls
Jones of Wise
Keefe
Keith
Kelt
Kenyon
Kern
King
Knetsch
Lanning
Leonard
Little
Loggins
London
Lucas
Mann
Mauritz
McConnell
McCracken
McDonald
McKinney
Moffett

Monkhouse	Sharpe
Morse	Shell
Newton	Simpson
Nicholson	Skaggs
Oliver	Smith of Tarrant
Palmer	Stevenson
Patterson	Stinson
of Travis	Stocks
Petsch	Talbert
Pope	Tarwater
Powell	Tennant
Prescott	Tennyson
Quinn	Thornberry
Reed of Bowie	Thornton
Reed of Dallas	Waggoner
Rhodes	Walker
Riddle	Weldon
Ross	Westbrook
Russell	Winfree
Rutta	Wood
Schuenemann	Worley
Settle	

Nays—1

Bradbury

Absent

Blankenship	Mays
Boethel	McFarland
Brown	McKee
Cagle	Metcalfe
Davison of Fisher	Patterson of Mills
England	Ragsdale
Fox	Reader
Harbin	Roark
Langdon	Vale
Leyendecker	

Absent—Excused

Bates	Sewell
Fielden	Smith of Hopkins
Lankford	Smith
Leath	of Matagorda
Morris	

The Speaker then laid Senate Bill No. 99 before the House on third reading and final passage.

The bill was read third time, and passed by the following vote:

Yeas—124

Adkins	Brown
Alsup	Burton
Amos	Callan
Baker	Cathey
Beckworth	Cauthorn
Bell	Celaya
Blankenship	Cleveland
Bond	Colquitt
Boyer	Davis of Haskell
Bradford	Davis of Jasper
Bridgers	Davison
Broadfoot	of Eastland

Dean	Mauritz
Deglandon	McConnell
Derden	McCracken
Dickison	McDonald
Dollins	McFarland
Farmer	McKee
Felty	McKinney
Fox	Metcalfe
Fuchs	Moffett
Gibson	Monkhouse
Graves	Morse
Hamilton	Newton
Hankamer	Nicholson
Hanna	Oliver
Harbin	Patterson
Hardin	of Travis
Harper	Petsch
Harrell	Pope
Harris of Dallas	Powell
Harris of Dickens	Prescott
Hartzog	Quinn
Heflin	Reed of Bowie
Herzik	Reed of Dallas
Holland	Rhodes
Hoskins	Riddle
Howard	Roark
Huddleston	Ross
Hull	Russell
Hyder	Rutta
Jackson	Schuenemann
James	Settle
Johnson of Ellis	Sharpe
Johnson	Shell
of Tarrant	Simpson
Jones of Angelina	Skaggs
Jones of Atascosa	Smith of Tarrant
Jones of Falls	Stevenson
Jones of Wise	Stinson
Keefe	Stocks
Keith	Talbert
Kelt	Tarwater
Kenyon	Tennant
Kern	Tennyson
King	Thornberry
Knetsch	Thornton
Lanning	Waggoner
Leonard	Walker
Little	Weldon
Loggins	Westbrook
London	Wood
Lucas	Worley
Mann	

Nays—2

Bradbury	Harris of Archer
	Absent

Alexander	Mays
Boethel	Palmer
Cagle	Patterson of Mills
Carssow	Ragsdale
Davison of Fisher	Reader
England	Vale
Langdon	Winfree
Leyendecker	

Absent—Excused

Bates	Sewell
Fielden	Smith of Hopkins
Lankford	Smith
Leath	of Matagorda
Morris	

HOUSE BILL NO. 4 ON PASSAGE
TO ENGROSSMENT

The Speaker laid before the House, as postponed business, on its passage to engrossment,

H. B. No. 4, A bill to be entitled "An Act providing a title for the Act; providing for the imposition of a franchise tax; providing that certain corporations shall be exempt from the Act but requiring the exemption to be proven by the claimant; and repealing all existing exemptions or special credits; providing definitions for certain words, terms and phrases; providing certain deductions in computing net income; providing certain unallowable deductions; providing a method of computing the net income of insurance corporations; providing for the use of fiscal or calendar accounting periods; . . . etc., and declaring an emergency."

The bill having heretofore been read second time, with amendment by Mr. Stinson, pending.

Question—Shall the amendment by Mr. Stinson be adopted?

ADDITIONAL SIGNERS OF BILLS

By unanimous consent of the House, the following Members were authorized to sign bills and resolutions, as co-authors of same, as follows:

Mr. Carssow, House Bill No. 362.

Mr. Prescott, Mr. Moffett, Mr. Davis of Haskell, Mr. Palmer, Mr. Herzik, Mr. Alexander, Mr. Monkhouse, Mr. Baker, Mr. Harris of Archer, Mr. Rutta, Mr. Worley and Mr. Rhodes, House Bill No. 24.

HOUSE BILL NO. 321 WITH SEN-
ATE AMENDMENTS

Mr. Moffett called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 321, A bill to be entitled "An Act amending Chapter 141, Acts, Fortieth Legislature, Regular Session, as amended by Chapter 246, Acts, Forty-second Legislature, Regular Session, creating the Office of the

Veterans' State Service Office attached to the Adjutant General's Department; providing for the appointment of a Veterans' State Service Officer and certain Assistant Veterans' State Service Officers, and other necessary personnel; defining the qualifications, authority and duties of such officers; fixing and authorizing payment of their salaries, travel and other expenses; providing that the main office shall be located in Austin, Travis County, Texas; and repealing all laws and parts of laws in conflict therewith."

The Speaker laid the bill before the House with the Senate amendments.

Mr. Moffett moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

CONFERENCE COMMITTEE AP-
POINTED ON HOUSE BILL
NO. 321

The Speaker announced the appointment of the following conference committee, on the part of the House, on House Bill No. 321: Messrs. Moffett, Leonard, Blankenship, Bond and Holland.

ADJOURNMENT

Mr. Hartzog moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Mr. Johnson of Ellis moved that the House recess until 10:00 o'clock a. m., tomorrow.

Mr. Quinn moved that the House adjourn until 9:30 o'clock a. m., tomorrow.

The motion of Mr. Hartzog prevailed, and the House, accordingly, at 5:10 o'clock p. m., adjourned until 10:00 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Appropriations: Senate Bill No. 99.
Insurance: House Bill No. 893.

Judiciary: House Bills Nos. 553 and 664.

Game and Fisheries: House Bills Nos. 980, 984 and 1028.

Privileges, Suffrage and Elections: House Bills Nos. 59 and 1021.

Public Lands and Buildings: House Bill No. 1009.

Revenue and Taxation: House Bills Nos. 362, 943 and 986.

State Affairs: House Bill No. 7.

Municipal and Private Corporations: House Bills Nos. 399, 632 and 784; Senate Bill No. 107.

The following committees have filed adverse reports on bill and resolution, as follows:

Insurance: House Bill No. 872.

Public Lands and Buildings: House Simple Resolution No. 147.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,

Austin, Texas, March 24, 1937.

Hon. R. W. Calvert Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 450, "An Act providing for the amount that may be allowed by County Boards of Trustees to the County Superintendents of Public Instruction for expenditures for office and traveling expenses in certain counties according to the last preceding Federal Census; repealing all laws and parts of laws, General or Special, in conflict herewith, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, March 25, 1937.

Hon. R. W. Calvert Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 71, Granting R. W. Briggs and Company permission to implead in Cause No. 14430 in the District Court of the 74th Judicial District.

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, March 24, 1937.

Hon. R. W. Calvert Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 507, "An Act to validate the organization and creation of all Junior College Districts created in any manner under the provisions of the Acts of the Forty-first Legislature, 1929, page 648, Chapter 290, and/or under any amendment thereof; validating all proceedings and Acts of the board of trustees of all independent school districts heretofore taken by such boards of trustees in creating or undertaking to create Junior College Districts; validating all proceedings and acts of boards of trustees, boards of education, or other governing bodies of Junior College Districts heretofore taken; validating all bonds voted, authorized and/or sold and/or now outstanding of said Districts; validating all tax levies made in behalf of said College Districts; making certain exceptions, and validating certain Independent and Junior College School Districts and tax assessments and tax levies in such districts, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

FORTY-THIRD DAY

(Friday, March 26, 1937)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Calvert.

The roll of the House was called and the following Members were present:

Mr. Speaker	Brown
Adkins	Burton
Alexander	Cagle
Alsup	Callan
Amos	Carssow
Baker	Celaya
Beckworth	Cauthorn
Bell	Cathey
Blankenship	Cleveland
Boethel	Colquitt
Bond	Davis of Haskell
Boyer	Davis of Jasper
Bradbury	Davisson
Bradford	of Eastland
Bridgers	Dean
Broadfoot	Deglandon